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Attorneys for plaintiffs and the Class

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

STEVEN WAMBOLDT, an individual,
on behalf of himself, those similarly situated
and on behalf of the general public,

Plaintiff,

v.

SAFETY-KLEEN SYSTEMS, INC., a
Wisconsin corporation, and DOES 1 through
100, inclusive.

Defendants.

07-0884

Case No. C ~~05-05338~~-PJH

CLASS ACTION

**[PROPOSED] ORDER RE. NOTICE OF
PENDENCY OF CLASS ACTION**

Judge: Hon. Phyllis J. Hamilton
Courtroom: Courtroom 3, 17th Floor

TO THE PARTIES AND THEIR ATTORNEYS OF RECORD,

After consideration of the papers filed by the parties concerning the content of, and plan for, notice to class members, and pursuant to this Court's Order of May 12, 2008,

THE COURT HEREBY ORDERS THAT:

The **Notice Of Pendency of Class Action** attached hereto as Exhibit A is hereby approved.

The parties are hereby ordered to cooperate with one another in order to disseminate class notice through the administrator, to the last known addresses of each class member.

DATED: 6/16/08

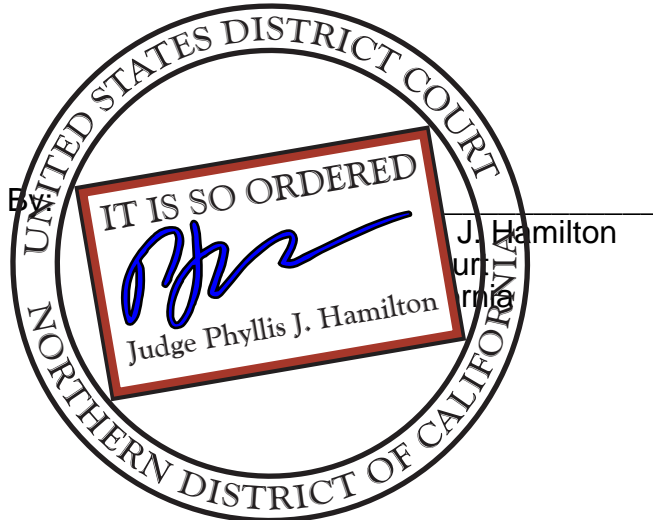


EXHIBIT A

NOTICE OF PENDENCY OF CLASS ACTION

NOTICE IS HEREBY GIVEN TO ALL PERSONS WHO ARE OR WERE EMPLOYED BY SAFETY-KLEEN SYSTEMS, INC. AS CUSTOMER SERVICE REPRESENTATIVES (NOW CALLED SALES AND SERVICE REPRESENTATIVES) WHO WORKED IN EXCESS OF EIGHT (8) HOURS IN A DAY AND/OR FORTY (40) HOURS IN A WORK WEEK IN THE STATE OF CALIFORNIA AT ANY TIME FROM NOVEMBER 17, 2002 TO THE PRESENT.

This Notice affects your legal rights and is given pursuant to Federal Rule of Civil Procedure 23 and is sent to you because you may be a member of a Class and your rights may be affected. Read the definition below carefully to determine if you are a member of the Class.

**THIS NOTICE IS NOT AN EXPRESSION OF ANY
OPINION BY THE COURT AS TO THE VALIDITY OF
ANY CLAIM OR DEFENSE. THE SOLE PURPOSE OF
THIS NOTICE IS TO INFORM YOU OF THE LAWSUIT SO
THAT YOU MAY MAKE AN INFORMED DECISION AS
TO WHETHER YOU SHOULD REMAIN IN OR REQUEST
EXCLUSION FROM THIS LAWSUIT**

I. PARTIES AND NATURE OF THE CLASS ACTION:

1. Background/Class Representatives. In 2006, a lawsuit was filed in the Superior Court of the State of California in and for Los Angeles County in connection with the alleged failure by the Defendant Safety-Kleen Systems, Inc. to pay overtime wages to persons employed by Defendant as Customer Service Representatives. The Complaint was brought by Steven Wamboldt, formerly employed as a Customer Service Representative from February of 2002 through May of 2005. The case has since been transferred to the United States District Court for the Northern District of California. This case is titled: Wamboldt v. Safety-Kleen Systems, Inc., Case No. C 07-00884 PJH (United States District Court – Northern District of California).

2. Defendants. The Defendant named in the Complaint, and in successive amended complaints, is Safety-Kleen Systems, Inc., a Wisconsin Corporation doing business throughout the State of California. Safety-Kleen provides industrial washing services, industrial waste management and oil recycling services for customers throughout California in a broad range of industries and markets.

3. Plaintiff's Allegations and Legal Theories. The Complaint alleges that Defendant failed to compensate Plaintiff and other Customer Service Representatives in compliance with various provisions of California's Labor Code by failing to compensate employees for all hours worked in excess of eight (8) hours in one day and/or in excess of forty (40) hours in a work week. It is also alleged that Defendant failed to abide by California Labor Code Sections 201 and 202, which require employers to pay employees all wages due within 72 hours of termination of employment at the risk of incurring penalties pursuant to Labor Code Section 203. Finally, it is alleged that the various violations of expressed provisions of the Labor Code constituted an

unfair business practice and thus violate California Business and Professions Code Section 17200 et seq.

4. Defendant's Allegations and Legal Theories. The Defendant denies it has violated the overtime law or any law. Safety-Kleen states that the overtime law does not apply to Customer Service Representatives because their hours of service are regulated by the Federal Motor Carrier Safety Administration and by the California Highway Patrol.

5. Class certification. The Court has ordered that the case will proceed as a class action. The Court retains jurisdiction to alter, vacate, amend, and supplement its order. You have received this Notice because it is believed that you are may be a member of the Class.

THERE IS NO ASSURANCE THAT A JUDGMENT WILL BE GRANTED, OR IF GRANTED, THAT IT WILL BE COLLECTED IN WHOLE IN OR PART.

6. The Court has designated and approved Plaintiff Steven Wamboldt to act as the representative of the Class. The Court has also designated and approved Barron E. Ramos, Attorney at Law, A.P.C., Kristen Caverly, Henderson & Caverly LLP, and Jeremy Fietz and Donald Edgar, Edgar Law Firm, to act as Class Counsel.

7. Additional notice. The Claims asserted in the complaint may not be settled without Court approval and prior notice to the members of the Class.

II. DEFINITION OF THE CLASS:

8. Class Definition. The Class is defined as all persons who are or were employed by Safety-Kleen Systems, Inc. as Customer Service Representatives who worked in excess of eight (8) hours in a day and/or forty (40) hours in a work week in the State of California at any time from November 17, 2002 to the present.

III. THE EFFECT OF THE CLASS ACTION DETERMINATION AND YOUR RIGHT TO REQUEST EXCLUSION:

9. Your Options. **AT THIS TIME YOU DO NOT NEED TO RESPOND TO THIS NOTICE OR COMPLETE ANY FORMS IN ORDER TO PRESERVE ANY RIGHTS YOU MAY POSSESS.**

If you so desire, you may enter an appearance by counsel of your choice at your own expense; otherwise you will be represented by Class Counsel. **REMAINING IN THE CLASS WILL NOT AFFECT YOUR ABILITY TO REMAIN EMPLOYED BY SAFETY-KLEEN AND WILL NOT RENDER YOU LIABLE FOR ANY ATTORNEYS' FEES OR COSTS.**

IF YOU WISH TO BE EXCLUDED FROM THIS LAW SUIT, YOU MAY DO SO BY FILLING OUT THE ATTACHED "REQUEST FOR EXCLUSION" AND MAILING IT TO THE ADMINISTRATOR AT THE FOLLOWING ADDRESS POSTMARKED NO LATER THAN JULY 15, 2008.

Gilardi & Co. LLC
3301 Kerner Blvd
San Rafael, CA 94901
Phone: (415) 458-3056
Fax: (415) 256-9756

10. Effect of Class Membership. All persons who meet the definition of the Class will be deemed members of the Class unless they request exclusion. Class members will be represented by Class Counsel and will be bound by the decision of the Court, whether favorable or unfavorable. If you remain in the Class, you cannot participate in any other action as a class representative or class member where the allegations arise out of, or relate to, the same transactions and occurrences that are the subject of the Complaint, any underlying complaints, and any subsequent amendments. If you attempt to prosecute such claims in a separate action without opting out of the Class, your assertion of claims in such action shall be subject to preclusion by an injunction, stay, or other Court order.

11. Effect of Exclusion from Class. A request for exclusion applies to the entire lawsuit and will remove you from the Class. If you request exclusion from the Class: (1) you will not share in a recovery, if any, by the Class; (2) you will not be bound by a decision against the Class; and (3) you will not be precluded from otherwise prosecuting a timely individual claim.

IV. FURTHER INQUIRY AND INSPECTION OF PAPERS:

12. This Notice provides a general description and does not cover all of the issues and proceedings to date. If you wish to learn more about this action, you may address your inquiry in writing to either:

The Law Office of Barron E. Ramos 132 N. El Camino Real, # 303 Encinitas, CA 92024 Toll Free (888) 698-3814	The Edgar Law Firm, 408 College Ave., Santa Rosa, CA 95401 Toll Free (800) 545-6409
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13. The court file, pleadings, and other papers filed in this action are public records, which are maintained at the office of the Clerk of the United States District Court for the Northern District of California, located at 450 Golden Gate Avenue, 16th Floor, San Francisco, CA 94102. The Clerk will make the files available for your inspection and for copying at your own expense.

PLEASE DO NOT CALL OR WRITE TO THE COURT DIRECTLY.

ELECTION TO BE EXCLUDED

The undersigned _____ (print name) elects to be excluded from the class in accordance with the provisions of the Notice of Pendency of Class of Action in the lawsuit of *Wamboldt v. Safety-Kleen*, No. C07-00884 PJH in the U.S. District Court for the Northern District of California..

Dated: _____

Signed: _____

Address: _____

Telephone: _____

**THIS ELECTION TO BE EXCLUDED MUST BE POST-MARKED NO
LATER THAN JULY 15, 2008, AND MAILED TO:**

Gilardi & Co. LLC
3301 Kerner Blvd
San Rafael, CA 94901
Phone: (415) 458-3056
Fax: (415) 256-9756